

Secretary of Defense for payment of travel and transportation allowances provided under this section.

**SA 1792.** Mr. McCONNELL (for Mr. SHELBY (for himself and Mr. SARBANES)) proposed an amendment to the bill S. 1680, to reauthorize the Defense Production Act of 1950, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Defense Production Act Reauthorization of 2003".

**SEC. 2. REAUTHORIZATION OF DEFENSE PRODUCTION ACT OF 1950.**

(a) IN GENERAL.—The 1st sentence of section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended—

(1) by striking "sections 708" and inserting "sections 707, 708,"; and

(2) by striking "September 30, 2003" and inserting "September 30, 2004".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 711(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2161(b)) is amended by striking "through 2003" and inserting "through 2004".

**SEC. 3. RESOURCE SHORTFALL FOR RADIATION-HARDENED ELECTRONICS.**

(a) IN GENERAL.—Notwithstanding the limitation contained in section 303(a)(6)(C) of the Defense Production Act of 1950 (50 U.S.C. App. 2093(a)(6)(C)), the President may take actions under section 303 of the Defense Production Act of 1950 to correct the industrial resource shortfall for radiation-hardened electronics, to the extent that such Presidential actions do not cause the aggregate outstanding amount of all such actions to exceed \$200,000,000.

(b) REPORT BY THE SECRETARY.—Before the end of the 6-month period beginning on the date of the enactment of this Act, the Secretary of Defense shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives describing—

(1) the current state of the domestic industrial base for radiation-hardened electronics;

(2) the projected requirements of the Department of Defense for radiation-hardened electronics;

(3) the intentions of the Department of Defense for the industrial base for radiation-hardened electronics; and

(4) the plans of the Department of Defense for use of providers of radiation-hardened electronics beyond the providers with which the Department had entered into contractual arrangements under the authority of the Defense Production Act of 1950, as of the date of the enactment of this Act.

**SEC. 4. CLARIFICATION OF PRESIDENTIAL AUTHORITY.**

Subsection (a) of section 705 of the Defense Production Act of 1950 (50 U.S.C. App. 2155(a)) is amended by inserting after the end of the 1st sentence the following new sentence: "The authority of the President under this section includes the authority to obtain information in order to perform industry studies assessing the capabilities of the United States industrial base to support the national defense."

**SEC. 5. CRITICAL INFRASTRUCTURE PROTECTION AND RESTORATION.**

Section 702 of the Defense Production Act of 1950 (50 U.S.C. App. 2152) is amended—

(1) by redesignating paragraphs (3) through (17) as paragraphs (4) through (18), respectively;

(2) by inserting after paragraph (2) the following new paragraph:

"(3) CRITICAL INFRASTRUCTURE.—The term 'critical infrastructure' means any systems and assets, whether physical or cyber-based, so vital to the United States that the degradation or destruction of such systems and assets would have a debilitating impact on national security, including, but not limited to, national economic security and national public health or safety."; and

(3) in paragraph (14) (as so redesignated by paragraph (1) of this section), by inserting "and critical infrastructure protection and restoration" before the period at the end of the last sentence.

**SEC. 6. REPORT ON CONTRACTING WITH MINORITY- AND WOMEN-OWNED BUSINESSES.**

(a) REPORT REQUIRED.—Before the end of the 1-year period beginning on the date of the enactment of this Act, the Secretary of Defense shall submit a report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the extent to which contracts entered into during the fiscal year ending before the end of such 1-year period under the Defense Production Act of 1950 have been contracts with minority- and women-owned businesses.

(b) CONTENTS OF REPORT.—The report submitted under subsection (a) shall include the following:

(1) The types of goods and services obtained under contracts with minority- and women-owned businesses under the Defense Production Act of 1950 in the fiscal year covered in the report.

(2) The dollar amounts of such contracts.

(3) The ethnicity of the majority owners of such minority- and women-owned businesses.

(4) A description of the types of barriers in the contracting process, such as requirements for security clearances, that limit contracting opportunities for minority- and women-owned businesses, together with such recommendations for legislative or administrative action as the Secretary of Defense may determine to be appropriate for increasing opportunities for contracting with minority- and women-owned businesses and removing barriers to such increased participation.

(c) DEFINITIONS.—For purposes of this section, the terms "women-owned business" and "minority-owned business" have the meanings given such terms in section 21A(r) of the Federal Home Loan Bank Act, and the term "minority" has the meaning given such term in section 1204(c)(3) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

**SA 1793.** Mr. McCONNELL (for Mr. GRASSLEY) proposed an amendment to the bill H.R. 3146, to extend the Temporary Assistance for Needy Families block grant program, and certain tax and trade programs, and for other purposes; as follows:

At the end of title IV, insert:

**SEC. \_\_\_\_ . EXTENSION OF PROVISION EQUALIZING URBAN AND RURAL STANDARDIZED MEDICARE INPATIENT HOSPITAL PAYMENTS.**

(a) IN GENERAL.—Paragraphs (1) and (2) of section 402(b) of the Miscellaneous Appropriations Act, 2003 (Public Law 108-7; 117 Stat. 548) are each amended by striking "September 30, 2003" and inserting "March 31, 2004".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by subsection (a) shall take effect as if included in the enactment of the Miscellaneous Appropriations Act, 2003.

(2) AUTHORITY TO DELAY IMPLEMENTATION.—

(A) IN GENERAL.—If the Secretary of Health and Human Services (in this subsection referred to as the "Secretary") determines that it is not administratively feasible to implement the amendments made by subsection (a), notwithstanding such amendments and in order to comply with Congressional intent, the Secretary may delay the implementation of such amendments until such time as the Secretary determines to be appropriate, but in no case later than November 1, 2003.

(B) TEMPORARY ADJUSTMENT FOR REMAINDER OF FISCAL YEAR 2004 TO EFFECT FULL RATE CHANGE.—If the Secretary delays implementation of the amendments made by subsection (a) under subparagraph (A), the Secretary shall make such adjustment to the amount of payments affected by such delay, for the portion of fiscal year 2004 after the date of the delayed implementation, in such manner as the Secretary estimates will ensure that the total payments for inpatient hospital services so affected with respect to such fiscal year is the same as would have been made if this paragraph had not been enacted.

(C) NO EFFECT ON PAYMENTS FOR SUBSEQUENT PAYMENT PERIODS.—The application of subparagraphs (A) and (B) shall not affect payment rates and shall not be taken into account in calculating payment amounts for services furnished for periods after September 30, 2004.

(D) ADMINISTRATION OF PROVISIONS.—

(i) NO RULEMAKING OR NOTICE REQUIRED.—The Secretary may carry out the authority under this paragraph by program memorandum or otherwise and is not required to prescribe regulations or to provide notice in the Federal Register in order to carry out such authority.

(ii) LIMITATION ON REVIEW.—There shall be no administrative or judicial review under section 1869 or 1878 of the Social Security Act (42 U.S.C. 1395ff and 1395oo), or otherwise of any delay or determination made by the Secretary under this paragraph or the application of the payment rates determined under this paragraph.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, September 30, 2003, at 2:30 p.m., in open session, to receive testimony regarding investigations into allegations of sexual assault at the United States Air Force Academy.

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS**

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 30, 2003, at 10 a.m. to conduct a hearing on "The State of the Securities Industry."

The PRESIDING OFFICER. Without objection, it is so ordered.

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and

Transportation be authorized to meet on Tuesday, September 30, 2003, at 9:30 a.m. on Do-Not-Call.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON FOREIGN RELATIONS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, September 30, 2003, at 9:30 a.m. to hold a hearing on nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs be authorized to meet on Tuesday, September 30, 2003, at 9 a.m. for a hearing to consider the nominations of Dale Cabaniss to be Chairman, Federal Labor Relations Authority; Craig S. Iscoe to be Associate Judge, Superior Court of the District of Columbia; and Brian F. Holeman to be Associate Judge, Superior Court of the District of Columbia.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON INDIAN AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Tuesday, September 30, 2003, at 10 a.m. in room 366 of the Dirksen Senate Office Building to conduct a joint hearing with the Senate Energy and Natural Resources Committee, Subcommittee on Water and Power, on S. 437, the Arizona Water Settlement Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON VETERANS' AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, September 30, 2003, at 4 p.m., for a markup on pending legislation. The meeting will be held in room 418 of the Russell Senate Office Building.

#### Agenda

1. S. 1131, a bill to increase, effective as of December 1, 2003, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

2. Committee Print of S. 1132, a bill to improve and enhance certain benefits for survivors of veterans, and for other purposes, as amended, to incorporate, in addition, original provisions and provisions derived from S. 257, S. 517, S. 1133, S. 1156, S. 1188, S. 1213, S. 1239, S. 1281, and S. 1360.

3. Committee Print of S. 1156, a bill to improve and enhance the provision of long-term health care for veterans, to enhance and improve authorities relating to the administration of per-

sonnel of the Department of Veterans Affairs, and for other purposes, as amended, to incorporate, in addition, original provisions and provisions derived from S. 548, S. 615, S. 1144, S. 1213, S. 1283, S. 1289, S. 1341, and S. 1572.

4. Committee Print of S. 1136, a bill to restate, clarify and revise. The Soldiers and Sailors Civil Relief Act of 1940, as amended.

5. H.R. 1516, a bill to provide for the establishment by the Secretary of Veterans Affairs of five additional cemeteries of the National Cemetery System, as amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. GREGG. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs be authorized to meet on Tuesday, September 30, 2003, at 10 a.m., for a hearing entitled "Privacy & Piracy: The Paradox of Illegal File Sharing on Peer-to-Peer Networks and the Impact of Technology on the Entertainment Industry."

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON CONSUMER AFFAIRS AND PRODUCT LIABILITY

Mr. GREGG. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Affairs and Product Liability be authorized to meet on Tuesday, September 30, 2003, at 2:30 p.m., on the Obesity War: Are our Dietary Guidelines Losing?

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON IMMIGRATION AND BORDER SECURITY

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Immigration and Border Security be authorized to meet to conduct a hearing on "Visa Issuance: Our First Line of Defense for Homeland Security" on Tuesday, September 30, 2003, at 2 p.m. in SD226.

#### WITNESS LIST:

The Honorable Asa Hutchinson, Undersecretary for Border and Transportation Security Directorate, Department of Homeland Security, Washington, DC.

The Honorable Marua Harty, Assistant Secretary for Consular Affairs, Department of State, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Substance Abuse and Mental Health Services be authorized to meet for a hearing on Underage Drinking: Research and Recommendations during the session of the Senate on Tuesday, September 30, 2003, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON WATER AND POWER

Mr. GREGG. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources and the Committee on Indian Affairs be authorized to meet jointly during the session of the Senate on September 30, 2003, at 10 a.m.

The purpose of this hearing is to examine S. 437, the Arizona water settlements acts, which is a bill to provide for adjustments to the Central Arizona Project in Arizona, to authorize the Gila River Indian Community Water Rights Settlement, to reauthorize and amend the Southern Arizona Water Rights Settlement Act of 1982, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMENDING JOHN E. DOLIBOIS FOR DEDICATION TO HIS COUNTRY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 199 and the Senate then proceed to its consideration.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 199) commending John E. Dolibois for dedication to his country, contributions to global education, and more than a half century of service to humanity.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to, en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD, without further intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 199) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 199

Whereas John Dolibois was born in Luxembourg and when he arrived in the United States of America at 12 years of age, he was not able to speak English, but learned it quickly and added it to his fluency in German and French;

Whereas John Dolibois became a naturalized citizen in 1941;

Whereas John Dolibois' service as a captain in United States Army intelligence called on his highly developed personal skills to make him a prime interrogator of 86 top Nazi prisoners, in preparation for and during the International War Crimes Trial in Nuremberg after World War II;

Whereas John Dolibois contributed to spreading the understanding of World War II atrocities by speaking publicly for decades about his experiences following the War Crimes Trial, including speaking engagements this year;

Whereas John Dolibois served Miami University in Oxford, Ohio for 34 years, including service as vice president for university